

City of Albany  
Albany Community Development Agency (ACDA)  
200 Henry Johnson Boulevard  
Albany, New York 12210

ARTICLE I – THE AGENCY

Section 1 – Name of Agency

The name of the Agency shall be the “ALBANY COMMUNITY DEVELOPMENT AGENCY (ACDA).”

Section 2 – Office of the Agency

The offices of the Agency shall be located at 200 Henry Johnson Boulevard, Albany, New York 12210, or any such place located within the City of Albany that the Agency may from time to time designate by resolution. All books and records of the Agency shall be kept at the office herein above designated, unless otherwise provided by Agency resolution.

Section 3 – Seal of the Agency

The seal of the Agency shall be in the form of a circle and shall bear the inscription of Albany Community Development Agency and the year of its formation.

Section 4 – Organization

Pursuant to the provisions of Section 553 and Section 623 of the General Municipal Law of the State of New York, the Agency is a corporate governmental agency, constituting a public benefit corporation and shall be perpetual in duration.

Section 5 – Powers, Functions and Duties

The Agency shall act in accordance with the purposes specified in Articles 15 and 15A of the New York General Municipal Law and accordance with Article 18 of the New York State Constitution, The Agency shall have all the powers and duties now or hereafter conferred on it by Article 15A of the New York General Municipal Law.

ARTICLE II - MISSION STATEMENT

ACDA is a public benefit corporation established by the City of Albany, New York, and is governed by a board of directors appointed by the Mayor of Albany, NY. ACDA is a component entity of the City of Albany. As a component unit, ACDA employees are City of Albany employees and abide by City of Albany personnel policies and procedures. ACDA’s goal

is to provide suitable living environments and economic opportunities for persons of low and moderate income.

Funds used by ACDA come primarily from the U.S. Department of Housing and Urban Development (HUD). The major sources of HUD funds are the Community Development Block Grant (CDBG), which is ACDA's largest funding source, the HOME Investment Partnership Program (HOME), the Emergency Shelter Grant (ESG), the Housing Opportunities for Persons with Aids Grant (HOPWA), Homeless Prevention & Rapid Rehousing (HPRP) and the Lead Paint Abatement Program. These programs account for a majority of ACDA's revenue. Other smaller sources of revenue are funded through Federal and some non-Federal sources.

ACDA provides direct assistance to meet the goals stated above and also provides funding to sub-recipients, based on the merit of their applications, to meet the objectives as well. ACDA operates based on HUD's National Program Objectives and ensures that funding source requirements and compliance needs are met. Decisions about how to spend monies are made through a defined process during which City of Albany citizens are involved. The process involves submittal of a publicly reviewed Consolidated Plan every 5 years that states broad goals and objectives.

Each year an Annual Plan, also subject to public review and comment, is developed and adopted as based on the Consolidated Plan. The Annual Plan gets more specific in the implementation of the 5-Year Plan. Any significant changes are required to go through a public review and amendment process.

### ARTICLE III – MEMBERSHIP

#### Section 1 – Voting Members

The Albany Community Development Agency shall consist of seven members including the Mayor, Chief Fiscal Officer, Corporation Counsel, Common Council President, Director of Community Development, City Clerk and Director of the Office of Equal Employment Opportunity. Board members serve until the expiration of the Mayor's term in office.

#### Section 2 – Terms of Appointment

The Mayor and other elected members shall serve as members of the Agency until the expiration of the terms of their respective municipal offices at which time their successors in office automatically succeed them as members of the Agency. In the case of the non-elected member, they shall serve until such time as their successors have been duly appointed by the Chairman of the Agency and until such time as the Certificate for Appointment of their successors have been duly filed with the City Clerk and Oaths of Office taken any duly filed subject to compliance with the requirements of New York State Law applicable to municipal urban renewal agencies.

## ARTICLE 4 – OFFICERS

The Executive Officers of the Agency shall be a Chairman, Vice-Chairman and Executive Secretary.

### Section 1 – Chairman

The Chairman shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairman shall sign all contracts, deeds, resolutions, and other written instruments to be executed on behalf of the Agency.

### Section 2 – Vice-Chairman

The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman. The Vice-Chairman shall be the President of the Common Council.

### Section 3 – Executive Secretary

The Chairman shall appoint the Executive Secretary. The Executive Secretary shall be the Director of the Albany Community Development Agency and shall act as Secretary of the meetings of the Agency, record all votes, and keep a record of the proceedings of the Agency in a journal to be kept for such purposes. The Executive Secretary shall have the power to certify as to the correctness of all copies of the minutes of Agency meetings, any extracts there from, resolutions and other papers and documents of the Agency. The Executive Secretary shall have the authority to attest to all contracts and instruments. The Secretary, as Administrative Head, except as authorized by resolution, shall also be authorized to review and approve all vouchers submitted to the Agency for payment for supplies furnished and services rendered and shall thereupon, if approved, certify that, in his/her opinion, such payment voucher is a valid and accurate claim for which Agency funds may be disbursed. The Executive Secretary shall have the authority to certify the payrolls of the Agency and have the authority to requisition supplies and services necessary to carry out the lawful urban renewal activities of the Agency as prescribed by Federal, State and Local laws and administrative regulations.

### Section 4 – Fiscal Officers

The Chairman and the Executive Secretary shall be the fiscal officers of the Agency and shall have full responsibility and authority to manage all necessary financial matters which the Agency is authorized to undertake according to the provisions of Federal, State and Local laws. However, where a Federal, State or Local law or administrative regulation requires such action, authorization to act must be obtained pursuant to a resolution adopted by a duly constituted quorum of the voting members of the Agency. The Executive Secretary shall have the authority to open all bank accounts required by the Agency in connection with any of its authorized activities.

## Section 5 – Counsel

The Chairman shall designate and contract for a legal counsel to the Agency who shall have the responsibility of preparing resolutions, contracts, and other necessary written instruments executed by the Agency and shall advise the Agency on all legal matters arising out of and in the course of the activities of the Agency. Such legal counsel may be an attorney from Corporation Counsel's office.

## Section 6 – Other Employees

Such other employees as the Agency shall determine are necessary for the proper administration of the urban renewal program shall be appointed, and shall be subject to removal with the approval of the Agency.

## Section 7 – Powers, Functions and Duties of Officers

The powers and duties of the members of the Agency shall be as set forth in Article 15A of the New York General Municipal Law.

The members of the Agency shall perform such duties as are incumbent upon them by reason of their office and shall perform such other duties and functions as may from time to time be required by the Agency or the by-laws, or which may arise by reason of their appointment to serve on committees functioning within the Agency or in cooperation with other persons or groups.

# ARTICLE IV – MEETINGS AND PROCEDURES

## Section 1 – Meetings

The Agency shall meet no less than once per year and shall hold other meetings as deemed necessary. Meetings of the Commission shall be public and comply with provisions of the Open Meetings Law. Special meetings may be called by the Chairman or by any three members of the Agency.

## Section 2 - Quorum

At all meetings of the Agency, a majority of the members of the Agency must be present in order to constitute a quorum for the purposes of transacting business.

## Section 3 – Manner of Voting

Four (4) votes shall be required to carry any motions before the Agency. At meetings where only four (4) members of the Agency are present, a unanimous vote shall be necessary to constitute a vote of approval on any motions placed before the Agency.

## ARTICLE V – AMENDMENTS TO BY-LAWS

The by-laws of the Agency shall be amended only with the approval of at least five (5) of the members at a meeting of the Agency, provided, however, that no amendment shall be adopted unless at least five (5) days written notice reciting the substance of the proposed amendment has been given to each member of the Agency.